

ATTACHMENT 1

LRP2011-00008

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 26 OF THE SAN LUIS OBISPO  
COUNTY CODE, THE GROWTH MANAGEMENT ORDINANCE

The Board of Supervisors of the County of San Luis Obispo ordains as follows:

SECTION 1: Section 26.01.070, b. of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

- b. Annual review of growth management program.** The Board of Supervisors shall hold a public hearing to consider the ~~annual~~ summary report of the Resource Management System (RMS) as described in Framework for Planning of the general plan. The Resource Summary Report is prepared biennially or as otherwise directed by the Board of Supervisors. Following the review of the RMS, the Board shall evaluate the proposed growth rates for the ensuing fiscal year in light of the availability of resources and services necessary to accommodate new development and may initiate proceedings to amend this title to modify the annual growth rate based on the evaluation of the RMS data. For those intermittent years in which the Resource Summary Report is not prepared, the Board shall evaluate the proposed growth rates in light of the most recently Board of Supervisors' approved Resource Summary Report.

SECTION 2: Section 26.01.070, h. of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

- h. Maximum number of new dwelling units allowed in the Nipomo Mesa area.** The maximum number of new dwelling units allowed in the Nipomo Mesa area (see Figure 1) for the period of July 1, 2014~~2~~ through June 30, 201~~23~~5 shall not exceed a 1.8 percent increase in the number of existing dwelling units from the previous fiscal year.

SECTION 3: Section 26.01.070, j. (1) (a) (i) of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

- (i) Allocation for the years July 1, 200~~9~~12 through June 30, 204~~2~~15.** Based on the County 2005 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on December 20, 2005, ~~and~~ the County 2008 Resource Management System (RMS) Annual Report approved by the Board of Supervisors on February 10, 2009, and the 2009-2010 Resource Management System (RMS) Resource Summary Report approved by the Board of Supervisors on April 26, 2011, the Maximum Annual Allocation shall be set at 0% per fiscal year for the period from July 1, 200~~9~~12 through June 30, 204~~2~~15, resulting in no new allocation requests other than those accompanied by an intent-to-serve letter from the Cambria Community Services District for transferred meters and 8 grandfathered Allocations for new residences in Cambria each fiscal year in the period from July 1, 200~~9~~12 through June 30, 204~~2~~15.

SECTION 4: Section 26.01.070, j. (1) (b) of the Growth Management Ordinance, Title 26 of the San Luis Obispo County Code, is hereby amended as follows:

- b. Freezing of existing waiting lists.** In order to eventually eliminate the need for an individual community waiting list for services, the CCSD list that exists as of December 31, 1990, shall be frozen for purposes of administering this title. The County shall obtain a certified copy of the waiting list and all future allocations within the community shall come from the certified list. Any applicant wishing to apply for a dwelling unit allocation that is not on the certified list shall apply to the county for placement on the county's waiting list for Requests for Allocation. However, per section (a) (i) above, no new allocation requests other than those accompanied by an intent-to-serve letter from the Cambria Community Services District for transferred meters and 8 grandfathered Allocations for new residences in Cambria each fiscal year in the period from July 1, 2009~~12~~<sup>15</sup> through June 30, 2012~~5~~<sup>5</sup>. At the point in the future when the existing community waiting list is exhausted, all future requests for new dwelling units shall be added to the county's waiting list on a first-come-first-served basis and all allocations for new dwelling units in the unincorporated county shall be made from the county waiting list.

SECTION 5: That the activity is covered by a general rule exemption (State CEQA Guidelines section 15061(b)(3)) from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 6: If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 7: This ordinance shall take effect and be in full force on and after 30 days from the date of its passage hereof. Before the expiration of 15 days after the adoption of this ordinance, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

INTRODUCED at a regular meeting of the Board of Supervisors held on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, and PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the \_\_\_\_\_ day of \_\_\_\_\_, 2012, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

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Chairman of the Board of Supervisors,  
County of San Luis Obispo,  
State of California

ATTEST:

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County Clerk and Ex-Officio Clerk  
of the Board of Supervisors  
County of San Luis Obispo, State of California

[SEAL]

ORDINANCE CODE PROVISIONS APPROVED  
AS TO FORM AND CODIFICATION:

WARREN R. JENSEN  
County Counsel

By:

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Deputy County Counsel  
Dated: